



**ARIZONA STATE SENATE**  
***Fifty-Fifth Legislature, First Regular Session***

**FACT SHEET FOR S.B. 1307**

~~water; wastewater system; county operation~~  
(NOW: water; wastewater system; corrective actions)

Purpose

Replaces permissive authority with the requirement that the Arizona Department of Environmental Quality (ADEQ) make a written request for corrective action for a regulated wastewater treatment facility or system or public water system for water quality control noncompliance and directs the Arizona Corporation Commission (ACC) to commence corrective action upon ADEQ's request.

Background

If a wastewater treatment facility or system or a public water system that is regulated as a public service corporation by the ACC, current statute grants ADEQ permissive authority to make a written request to the ACC to take necessary corrective actions within 30 calendar days after ADEQ determines that the ACC taking necessary corrective action would expedite return to compliance and ADEQ does one of the following: 1) determines that the wastewater treatment facility or system is out of compliance with an ADEQ administrative order for a violation; 2) files a civil action against the owner or operator for a violation; or 3) determines that an emergency exists with respect to the wastewater treatment facility or system ([A.R.S. § 49-262](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires, rather than allows, ADEQ to make a written request to the Chairperson and the Executive Director of the ACC to take necessary corrective actions for an ACC-regulated wastewater treatment facility or system or public water system that is in noncompliance with water quality control statutes and directs the ACC to commence the corrective actions within 30 days after ADEQ determines that the ACC taking necessary corrective action would expedite return to compliance and ADEQ does one of the following:
  - a) determines that the wastewater treatment facility or system is out of compliance with an ADEQ administrative order for a violation;
  - b) files a civil action against the owner or operator for a violation; or
  - c) determines that an emergency exists with respect to the wastewater treatment facility or system.
2. Requires ADEQ, if ADEQ makes a written request to the ACC to take necessary corrective actions for noncompliant a wastewater treatment facility or system or a public water system, to provide a copy of the request to the governing body of any local jurisdiction within the service area of the facility or system.
3. Makes conforming changes.
4. Becomes effective on the general effective date.

Amendments Adopted by Committee

- Adopted the strike everything amendment relating to corrective actions for wastewater treatment facilities or systems of public water systems that are out-of-compliance with water quality control requirements.

Amendments Adopted by Committee of the Whole

1. Specifies that a written request by ADEQ for necessary corrective actions must be made to the Chairperson and the Executive Director of the ACC.
2. Requires a copy of ADEQ's written request for corrective actions to be provided to all local jurisdictions within the service area of the noncompliant ACC-regulated wastewater treatment facility or system or public water system, rather than only jurisdictions served by the facility or system.

Senate Action

NREW      2/17/21      DPA/SE      9-0-0

Prepared by Senate Research

February 26, 2021

KN/gs